

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 13, 2023

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BEAU ARMSTRONG,

Plaintiff,

v.

ATRIUM MEDICAL
CORPORATION, and MAQUET
CARDIOVASCULAR US SALES,
LLC,

Defendants.

No. 1:22-CV-03007-MKD

ORDER DISMISSING
CASE WITHOUT
PREJUDICE

ECF No. 53

Before the Court is Plaintiff's Motion for Voluntary Dismissal, ECF No. 53.

Plaintiff moves for an order to dismiss this action against Defendants Atrium Medical Corporation and Maquet Cardiovascular US Sales, LLC without prejudice, with each party bearing its own costs and fees. ECF No. 53 at 1. Pursuant to Fed. R. Civ. P. 41(a)(2), the Court grants Plaintiff's motion and dismisses the action without prejudice.

1 Accordingly, **IT IS ORDERED:**

2 1. Plaintiff's Motion for Voluntary Dismissal, **ECF No. 53**, is **GRANTED**.

3 2. This action shall be **DISMISSED without prejudice**, with all parties to
4 bear their own costs and attorney fees.

5 3. Any pending motions are **DENIED as moot**.

6 4. All hearings and other deadlines are **STRICKEN**.

7 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
8 Order, provide copies to counsel, and **CLOSE the file**.

9 **DATED** February 13, 2023.

10 *s/Mary K. Dimke*
11 MARY K. DIMKE
12 UNITED STATES DISTRICT JUDGE
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